UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JUDGMENT IN A CIVIL CASE

David Zehner,

Plaintiff,

vs. **CASE NUMBER: 5:11-CV-1202 (NAM/DEP)**

The Board of Education (the "Board") of the Jordan-Elbridge Central School District (the "District"), et al.

Defendants.

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

The motion (Dkt. No. 162) for summary judgment by defendant Lawrence J. Zacher is Granted; that the motion (Dkt. No. 164) for summary judgment by defendants Board of Education of the Jordan-Eldridge Central School District, Mary L. Alley, Diana Foote, Jeanne Pieklik, Connie Drake, Penny L. Fenney, and James R. Froio is Granted; that the motion (Dkt. No. 172) for summary judgment by defendant Danny Louis Mevec is Granted; that the motion (Dkt. No. 196) by plaintiff to strike the decision in the Matter of the Arbitration Between Jordan-Elbridge Central School District and Hamilton (Dkt. No. 166-2) petition to vacate and annul denied, Matter of Hamilton, RJI No. 33-14-3422, Index No. 2014EF3535 (Sup. Ct., Onondaga Co., Greenwood, J. Dec. 16, 2014) is denied; that the cross motion (Dkt. No. 197) by plaintiff for summary judgment on the first cause of action is Denied; that the joint motion (Dkt. No. 207) by defendants Zacher and the District Defendants to strike plaintiff's submissions at Dkt. No. 197 is denied as moot as to the Memorandum of Law and is otherwise denied; and that plaintiff's motion(Dkt No. 209) to withdraw his Memorandum of Law in support of his cross motion (Dkt. No.197) is Granted. This case is dismissed in its entirety on the merits.

All of the above pursuant to the order of the Honorable Judge Norman A. Mordue, dated the 29th day of September, 2015.

DATED: September 29, 2015

Clerk of Court

s/ Helen M. Reese

Helen M. Reese
Deputy Clerk